

## MOSES & SINGER LLP

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THE CHRYSLER BUILDING  
405 Lexington Avenue, NY, NY 10174-1299  
Tel: 212.554.7800 Fax: 212.554.7700  
www.mosessinger.com

Barry Zone  
Partner  
Direct: (212) 554-7864 Fax: (917)  
206-4364

November 11, 2021

**SENT VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Ariel Tavarez  
1:19 Cr. 00690 (KPF)**

Dear Judge Failla:

On behalf of my client, Ariel Tavarez, and with the Government's consent, I would respectfully request that sentencing, which is presently scheduled for November 23rd, 2021 be adjourned to a date in late February, 2022, or thereafter convenient to the Court.

I make this request in-part because of personal health issues, and as well, my inability to have discussed the draft PSR with Mr. Tavarez until last week at the MDC Brooklyn. Based on that meeting I will have to return to the MDC to finish discussing with him, the PSR, as well as several other matters related to his sentencing. Unfortunately our meeting was cut short by the institution due to time limitations.

The Court's consideration is greatly appreciated.

Respectfully,

/s/ Barry S. Zone

Barry S. Zone

cc: AUSA Aline Flodr  
AUSA Nicholas Chiuchiolo  
AUSA Mollie Bracewell

Application GRANTED. Mr. Tavaréz's sentencing scheduled for November 23, 2021, is hereby adjourned to **February 23, 2022, at 3:30 p.m.**, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. The Defense submission shall be two weeks before this date, and the Government submission shall be due one week before this date.

The Court wishes Mr. Zone a full and speedy recovery from his health issues.

The Clerk of Court is directed to close the pending motion at docket entry 206.

Date: November 12, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE